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8 Counsel for Defendant
9 ANGEL RAMIREZ

10
11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA
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15 UNITED STATES OF AMERICA,

16 Case No.: 20-CR-229 TLN

17 Plaintiff,

18 vs.

19 AUSENCIO ALVAREZ CORTEZ,
20 ANGEL ISMAEL RAMIREZ,

21 STIPULATION AND ORDER TO
22 CONTINUE STATUS CONFERENCE
23 AND EXCLUDE TIME UNDER THE
24 SPEEDY TRIAL ACT

25 Defendants

26
27 It is hereby stipulated by and between counsel for the United States and counsel for the
28 defendants Ausencio Cortez and Angel Ramirez that the status conference scheduled for
November 30, 2023, be continued to March 14, 2024, at 9:30 a.m. It is further stipulated that
time be excluded under the Speedy Trial Act through March 14, 2024.

29
30 This parties stipulate to the continuance for several reasons. Counsel for Defendant
31 Ramirez has a conflict: a “no time waiver” 3 defendant murder preliminary hearing, which will
32 take multiple days, has been set on November 29, 2023 (which is the 9th day of the 10-day
33 preliminary hearing clock). Moreover, Mr. Ramirez injured himself at work and is on disability;
34 as a result, travel from Southern California to Sacramento will be onerous. Moreover, the parties
35 request the continuance to allow additional time for defense counsel to meet and confer with the
36 defendants, resolve any outstanding discovery issues, conduct investigation, and discuss
37 potential resolution.

1 For these reasons, the parties stipulate and agree that continuing the status appearance
2 and excluding time through March 14, 2024, is appropriate, and is necessary for the effective
3 preparation and continuity of defense counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties
4 further stipulate and agree that the ends of justice served by excluding the time through March
5 14, 2024, from computation under the Speedy Trial Act outweigh the best interests of the public
6 and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

7

8 **SO STIPULATED.**

9 Phillip A. Talbert
10 United States Attorney

11 Dated: November 22, 2023

12 /s/ James Conolly
13 James Conolly
14 Assistant United States Attorney

15 Dated: November 22, 2023

16 /s/ Dina Santos
17 Dina Santos
18 Attorney for Ausencio Alvarez Cortez

19 Dated: November 22, 2023

20 /s/ Adam Pennella
21 Adam Pennella
22 Attorney for Angel Ismael Ramirez

23

24 **ORDER**

25 The Court has read and considered the Stipulation Regarding Excludable Time Period
26 Pursuant to Speedy Trial Act, filed by the parties in this matter. The Court hereby finds that the
27 Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that
28 provide good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C.
§ 3161. The status hearing in the above matter is ordered continued, and time is excluded, to
March 14, 2024, at 9:30 a.m.

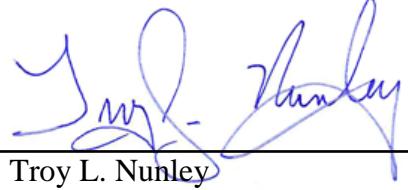
The Court further finds that: (i) the ends of justice served by the continuance outweigh
the best interest of the public and defendant in a speedy trial; and (ii) failure to grant the

1 continuance would deny defense counsel the reasonable time necessary for effective preparation,
2 taking into account the exercise of due diligence.

3 Nothing in this Order shall preclude a finding that other provisions of the Speedy Trial
4 Act dictate that additional time periods are excluded from the period within which trial must
5 commence.

6 **SO ORDERED.**

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8 Dated: November 22, 2023



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10 Troy L. Nunley
11 United States District Judge
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